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ABSTRACT

This document is designed to help community-based organizations (CBOs) and civil rights groups get involved as full partners in developing a voluntary, national system of skill standards, assessment, and certification. Section 1 explains the benefits to CBOs and civil rights groups of becoming involved in the skill standards development. Section 2 previews the process through which the National Skill Standards Board (NSSB) and the Voluntary Partnerships are developing a national skills standards system. It highlights ways in which the National Skills Standards Act of 1994 (the Act) requires the involvement of CBOs and civil rights groups. Sections 3 and 4 correspond to the first two stages in the process of developing a skill standards system. Section 3 on coalition building and Voluntary Partnership recognition provides an abstract of the language of the Act and the NSSB criteria governing official recognition of a Voluntary Partnership. Section 4 on developing standards, assessment, and certification presents criteria concerning civil rights, opportunity, and access and requirements for the development of consensus within the Voluntary Partnership. Section 5 presents concluding remarks. Section 6 has these appendixes: the Act and NSSB Criteria for Civil Rights, Opportunity, and Assessment. (YLB)

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Civil Rights Groups Participatin

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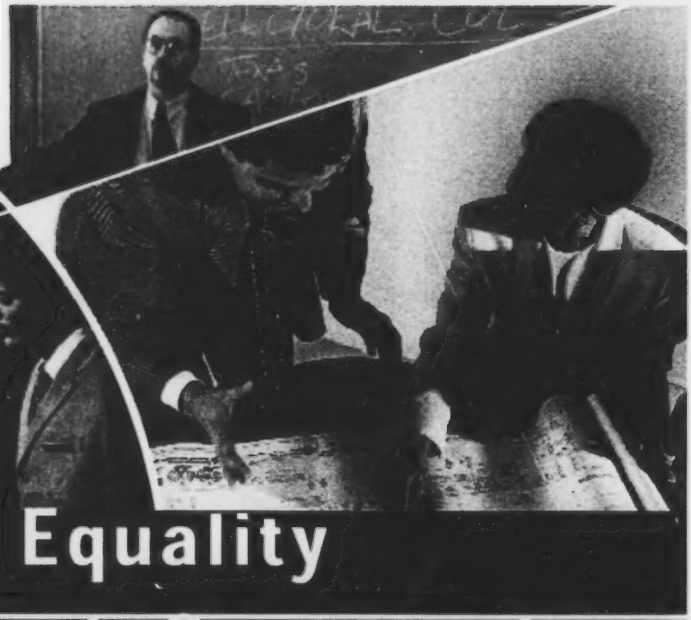

Equality

ugh Opportunity

Organizations and
in the National Skill Standards System

OPY AVAILABLE

National Skill Stand
Setting the standard for wo

lards Board
rkforce excellence

Achieving Equality Through

A Guide for Community-Based Organiza
Civil Rights Groups Participating in the National Sk

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Opportunity

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INTRODUCTION

This document is designed to help com
partners in developing a voluntary, nat
identify what people need to know and
sector. Specifically, they define the v
knowledge and skill required. The asse
skill standards while certification will be

The National Skill Standards Act of 199
diverse organization composed of r
organizations, civil rights groups, and go
the establishment of a national skill s
Voluntary Partnerships, which are charg
of interested parties who have a mate
participation of a broad range of civic g

Employers
Labor organizations
Community-based or
Civil rights groups
Current and future e
Educators and traine

To be successful, skill standards are req
for all and to increase opportunities for
required by the Act. Based on this req
critical. Voluntary Partnerships must in
effective. Otherwise, this entire effort v
organization can play an active and cruc

This guide is divided into four main sect
benefits to CBOs and civil rights groups
previews the process through which the
system. It highlights ways in which the
developing a skill standards system incl
Certification Systems. The third and fou

mmunity-based organizations (CBOs) and civil rights groups get involved as full
ional system of skill standards, assessment, and certification. Skill standards
be able to do to successfully perform work-related functions within an industry
work to be performed, how well the work must be done, and the level of
essment process will measure an individual's level of performance in attaining
e awarded to individuals who have attained a particular level of proficiency.

4 (the Act), created the National Skill Standards Board (NSSB). The NSSB is a
representatives of employers, employees, educators, community-based
overnment officials, collectively known as stakeholders, empowered to promote
standards system. The NSSB spurs the creation and facilitates the work of
ged with the development of skill standards. Voluntary Partnerships are groups
erial interest in the development of these standards. The Act calls for the
roups in this effort. Such groups include:

ganizations

mployees
ers

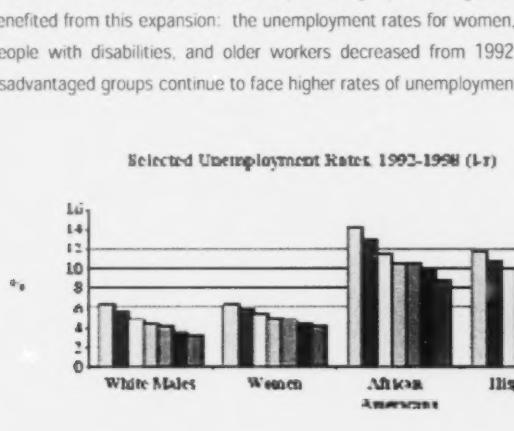
quired to be "consistent with civil rights laws" to ensure access and diversity
minorities and women. Not only is this an essential social goal, it is explicitly
quirement, the participation of CBOs and civil rights groups, such as yours, is
nclude your group's meaningful participation in order for the standards to be
will not succeed. In the following pages, you will learn more about how your
cial role in a Voluntary Partnership and in building this national system.

ions plus a final section of concluding remarks. The first section explains the
of becoming involved in the skill standards development. The second section
e NSSB and the Voluntary Partnerships are developing a national skill standards
e Act requires the involvement of CBOs and civil rights groups. The process of
udes (1) Building Coalitions; and (2) Developing Standards, Assessment, and
rth sections of this guide correspond to these first two stages.

As they develop skill standards systems, the Voluntary Partnerships are guided b
the Act and the criteria adopted by the NSSB to recognize and endorse the wor
guide will provide you with a roadmap to understanding the Act and the NSSB cr
to your organization.

I. WHAT'S IN IT FOR YOU?

As we enter the new millennium, our nation is experiencing a period of great e
Most have benefited from this expansion: the unemployment rates for women,
minorities, people with disabilities, and older workers decreased from 1992
historically disadvantaged groups continue to face higher rates of unemploymen



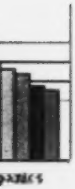
Note: Each bar corresponds to one year
Source: Bureau of Labor Statistics, 1999.

While the general unemployment rate is at a historic low point (4.5% in 1998)
Americans averages more than twice that for Whites (8.9% for African American
also experience consistently higher unemployment rates than Whites (7.2% for 1
for women continue to exceed those for men in all ethnic categories. Further, t
by disability status, data reveals that people with disabilities are more likely to be
other groups. A recent U.S. Census Bureau survey (1997) revealed overall emplo
disabilities versus 82.1% for those reporting no disability.

Moreover, members of these groups often have lower levels of training and ed
the U.S. Census Bureau (1996) reflect positive trends in educational attainment
persistent disparities. While the percentage of African Americans aged 25-29 w
a level almost equal to that for Whites (85.6% for African Americans and 87.5%
not fared as well. Though up dramatically from 1974 when such data were first c
25 years or older having earned a high school diploma remains comparatively lo

y rules prescribed in the provisions of
k of the Voluntary Partnerships. This
iteria and how they can be important

economic prosperity and opportunity.
African Americans, Hispanics, other
to 1998. Yet, members of these
t than other groups.



, the unemployment rate for African
s versus 3.9% for Whites). Hispanics
998). Similarly, unemployment rates
hough actual rates vary considerably
e unemployed or underemployed than
yment rates of 76.2% for people with

ucation. Although current data from
across groups, the data also indicate
th a high school diploma has reached
for Whites in 1996), Hispanics have
ollected, the percentage of Hispanics
w (53.1% in 1996). Data regarding

post-secondary education and training als
significant implications for current and pr
the Census data shows Whites completi
African Americans 13.6%, and Hispanics

Since 1994, the NSSB has worked to deve
smarter than ever before, and to learn n
technology. This system is designed to h
it can particularly enhance employment
clarifying what skills are needed in today
education and training. These are our goa

While the general unemployment rate is at a historic low point, the unemployment rate for African Americans averages more than twice that for Whites. Hispanics also experience consistently higher unemployment rates than Whites. Similarly, unemployment rates for women continue to exceed those for men in all ethnic categories.

We know your time is precious and alrea
vitally important roles in every community
people you serve. That is exactly why
standards could result in real gains for th
the opportunity to:

Promote career opportunities
help us to be certain that sectors of the
neither overlooked nor shortchanged in th
system is implemented in such a way that
stuck in dead-end positions.

Provide a strong voice for wo
participation in the NSSB process will
development process and that their voic
assessments. In so doing you can help
their views are heard by others. This will

Ensure that your constituents
standards - Your interaction with the
excellent opportunity to enhance their av
technical experts and professionals involv
serve, information that will promote bett

Help ensure that skill standard

o reveal disparities. One such example, the rate of college completion, has
ojected median earnings among protected groups. Current U.S. Bureau of
ng college at a consistently higher rate than other groups, Whites 24.3%,
9.3%.[1]

elop a system of skill standards aimed at helping America's workers to work
ew, high tech skills to keep pace with the constant changes in workplace
lp raise the standard of living for all employees. In addition, we believe that
opportunities for women, minorities, and other disadvantaged groups, by
's workforce and by developing blueprints for more effective and targeted
ls, but in order to meet them, we need your help.

dy stretched too thin. Community-based and civil rights organizations play
in our nation. We know that your primary focus must be the needs of the
we believe you should join in our effort: working with the NSSB on skill
e very people you care about the most. By participating with us, you have

nd economic security for the people you serve - You can
economy in which disadvantaged workers are more likely to be found are
e process of developing skill standards. You can also help to ensure that the
it makes it easier for the people you serve to change jobs and to avoid being

men, minorities, and other disadvantaged groups - Your
elp make certain that your constituents are heard in the skill standards
es are reflected in the research that will support the skill standards and
ensure that disadvantaged employees have input into the system and that
help to ensure that the final system is fair, effective and inclusive.

are a key part of the information exchange around skill
employers, educators and trainers involved with the NSSB will provide an
vareness of the needs of your clients and communities. Working with the
ed with the NSSB will give you key information to share with the people you
r training and education and better jobs.

s, assessment, and certification are fair and accessible

for all - The NSSB is profoundly committed to non-discrimination and to increasing oppo especially those historically and currently disadvantaged. We are also committed to the ful of civil rights and community organizations in the development of skill standards. Many gr engaged in efforts to develop skill standards, but only the NSSB is founded on legislation, c Congress and signed by the President, which makes an explicit commitment to civil rights

Network with your peers and other professionals - Working with us will e today's employment market. Your participation will encompass a unique opportunit traditionally adversarial lines and to raise the awareness of large corporations, small bus organized labor unions, and education officials on different shades of employment discrimi we will facilitate discussions around emerging workplace and training issues in the co process to identify emerging workplace challenges with important implications for civil rig the nation.

Work with a group that really values your ideas and input - The NSSB to doing what we can to facilitate your participation. We need your help, your knowledge, will do everything we can to help you help us.

We know that there are many other priorities and issues demanding your time and attenti that you will carefully consider the potential benefits of partnering with the NSSB. We th of your time and energy in this process could result in enormous rewards for your orga serve. We hope that you will agree and choose to join us!

HOW TO GET INVOLVED:

There are so many different ways you can become more involved in the work of the NSS to a more significant time commitment. The most important thing is that you get involved most sense for you, so that we can benefit from your skill and expertise. Below are a fe

Get on our mailing list - You can learn a lot about us and about skill standards simp and other publications. To get on the NSSB's mailing list, drop us a postcard with your us toll free at 877-843-6772 or locally in the Washington D.C. area at 202-254-8628. Yo at 202-254-8646 or via e-mail at: information@nssb.org.

Log on to NSSB Online - By visiting us online, you can learn more about the work Partnerships, and the process of creating skill standards. Our address is http://www.nssb

ortunities for all employees.
l and balanced participation
oups across the country are
rafted by the United States

expand your contacts within
y to communicate across
iness owners, members of
nation. With your guidance,
ntext of the skill standards
nts and communities across

needs you and is committed
skills, and your insight. We

on. Nevertheless, we hope
ink that a small investment
nization and the people you

ranging from no time at all
in whatever way makes the
v suggestions:

ly by reading our newsletter
contact information. Or call
u can also contact us by fax

of the NSSB, the Voluntary
.org .

15

Write to us - If you want to contribut
Partnership or in any other on-going capa
input on creating skill standards. Our add

National S
1441 L Str
Suite 9000
Washingto

Attend an NSSB Board Meetin
would like to attend such a session, plea
scheduled. Check out our website for a

Volunteer your expertise - The
from civil rights experts and community-b
know. We would be happy to bring you

Become a member of either a
creating skill standards happens in the
Groups, welcome the participation of mem
interested in serving in this capacity, plea

II. SETTING THE

A. The Role of CBOs and National Skill Standa

Since its creation in 1994, the NSSB and
Because the Act called for the creation o
NSSB's first tasks was to assemble group
similar jobs in the U.S., known as "indu
overarching framework for the skill stand
skill standards into Core, Concentrations,
Voluntary Partnerships and endorsed by t

e your views to our process but don't have the time to serve on a Voluntary city, we would still like to hear from you! Write us a letter and provide your lress is:

kill Standards Board
eet, NW
)
n, DC 20005-3512

g - The public is invited to attend the NSSB's Open Board Meetings. If you se contact us and we will let you know when and where the next meeting is complete listing of upcoming Board meetings.

NSSB and the Voluntary Partnerships need all kinds of expertise, especially based organizations. If you have special skills that you can contribute, let us aboard and get you involved in our work.

Voluntary Partnership or Convening Group - The main work of Voluntary Partnerships. These organizations, which start out as Convening nbers from community-based organizations and civil rights groups. If you are se call, write, or e-mail us and let us know.

STAGE

d Civil Rights Groups in Developing the rds System

its partners have successfully carried out many of the provisions of the Act. f broad skill standards that would apply across many occupations, one of the ps of similar occupations and industries. The NSSB has defined 15 groups of stry clusters." Defining these clusters was a critical part of developing an ards system. Within this framework, the NSSB will help develop and divide and Specialties- three levels of skill standards that will be developed by the he NSSB.

The NSSB has established guidelines used to endorse the standards created by V
coalitions existed with the breadth and inclusiveness required by the Act, the NSSI
referred to as Convening Groups. The Convening Groups include representatives o
an interest in skill standards within each industry cluster. In 1997, the NSSB
membership of a Voluntary Partnership (see Section III). It recognizes Volun
stakeholders and successfully meet other criteria established by the NSSB. To dat
Partnerships - the Manufacturing Skill Standards Council (MSSC), the Sales & S
(S&SVP), the Education and Training Voluntary Partnership (E&TVP), and the I
Partnership - and continues coalition building efforts in four additional industry clus

The NSSB has accomplished much work since 1994. However, one continuing chal
Groups, and the Voluntary Partnerships is to ensure that the evolving skill standar
increases employment opportunities for all. We need your help to achieve these g

1. The Importance of CBO and Civil Rights Group Involv
Developing the NSSB Skill Standards System

a. Stage 1: Building Coalitions - The first step in developing a skill stan
requirements is to form a coalition of interest groups within an industry cluster. I
assembled, which builds support for skill standards and begins strategic planning.
and electing a Decision Council that will provide leadership, the Convening Group ca
as a Voluntary Partnership.

NSSB criteria (see Section III below for complete criteria) require that each
stakeholders, especially:

- **Community-based organizations, and**
- **Non-governmental organizations with a demons
successfully protecting the rights of racial, eth
minorities, women, individuals with disabilities**

By getting involved in this first stage, your group can be an important team player
the very beginning. You can develop relationships and exchange information with
Group. There may be numerous opportunities to gain useful information about p
opportunities for your clients, and, at the same time, you can let other stakeholde
to your constituency.

oluntary Partnerships. Because no
3 helped to create initial coalitions,
f all major stakeholders who have
established requirements for the
tary Partnerships that include all
e, it has recognized four Voluntary
Service Voluntary Partnership, Inc.
Hospitality and Tourism Voluntary
ters.

lenge for the NSSB, the Convening
ds system upholds civil rights and
oals.

ement at Each Stage in

dards system that will meet NSSB
n this stage, a Convening Group is
Upon completing a strategic plan
n apply for recognition by the NSSB

Voluntary Partnership include all

strated history of
nic, or religious
s, or older persons.

in the skill standards system from
other members of the Convening
potential employment and training
s know what issues are important

The NSSB Clusters are:

- **Agriculture, Forestry and Fishing**
- **Business and Administrative Services**
- **Construction**
- **Education and Training**
- **Finance and Insurance**
- **Health and Human Services**
- **Manufacturing, Installation and Repair**
- **Mining**
- **Public Administration, Legal and Protective Services**
- **Restaurants, Lodging, Hospitality and Tourism, and Amusement and Recreation**
- **Retail Trade, Wholesale Trade, Real Estate and Personal Services**
- **Scientific and Technical Services**
- **Telecommunications, Computers, Arts and Entertainment, and Information**
- **Transportation**
- **Utilities and Environmental and Waste Management**

During this stage, you will also parti
planning generally includes discussions
employment within the industry cluste
Your organization may have valuable in
relationships you establish in this early
invaluable as your Convening Group m
Voluntary Partnership.

b. Stage 2: Developing Stan

the NSSB, a Voluntary Partnership ca
system. This stage includes three pha

As active participants in Voluntary Part

Standards Development

In this phase, each Voluntary Partne
standards. This will include a benc
certification[2] within the industry clust
professional development, education
communities that are traditionally und

Another important role you can play
Voluntary Partnership about the imp
understand the need to develop stand
have been denied opportunity in the p
based on an extensive study of both w
group can assist the Voluntary Partn
discriminatory and widely inclusive and
that skill standards and assessments

What are Core, Concentration, and Specialty Standards?

Core refers to the level of description applicable to an entire cluster, such as transportation; concentration refers to the level of description applicable to broad industry or occupational areas or job families within a cluster, such as trucking; and specialty refers to the level of description applicable to particular or specialized jobs or occupations within a concentration, such as tractor-trailer driver.

ipate in developing a strategic plan for a skill standards system. Strategic of the strengths and weaknesses of current systems of education, training, and and the opportunities and challenges presented by a system of skill standards. ormation to contribute about these issues and how they affect your clients. The stage of the skill standards process, and the information you provide, will prove ves into the later stages of skill standards development and is recognized as a

dards, Assessment, and Certification - After being recognized by n move into Stage 2 and begin the actual development of the skill standards ses:

nerships, your group can play vital roles in all three phases.

rship will conduct background research as an initial step in developing skill hmarking study that will examine existing systems of skill standards and er. Your group can help ensure that the study takes into account patterns of training, and demographic changes in particular communities, especially erserved or not served at all by current training programs.

during the development phase is to assist in educating other members of the ortance of civil rights law. Your organization can help other stakeholders lards that operate to expand opportunities for everyone- especially those who ast. The NSSB requires each Voluntary Partnership to develop skill standards ork and workers across the industry cluster, known as a "work analysis." Your erships in ensuring that this analysis relies on valid methods that are non- that skill standards directly reflect actual job requirements. The NSSB requires e professionally validated (see Section IV).

Assessment Development

Your group also has a critical role to play in helping Voluntary Partnerships dev
whether individuals have attained the level of performance specified in the skill
employers may use the results of assessments in deciding which individuals to
important to ensure that assessments are fair and accurately measure skills requ
You can also assist in explaining to your counterparts that both civil rights law an
require that assessments be analyzed for possible adverse impact on federa
assessment with the least adverse impact must be used.

Assessment Implementation

The implementation stage is a critical area in which your group can make
Assessments can and should be administered in ways that are fair for all demogr
of those undergoing assessment have limited English ability, it may be necessa
languages. One of the most important contributions that you can offer is to help
assessment and certification for your constituency. Additionally, NSSB criteria
worker mobility (see Section IV) require that information about a Voluntary Part
widely disseminated. Your group can help make certain that this information is d

Helping to ensure broad access to education and training is perhaps the most v
yours can make to this process. By focusing training programs on the requirement
community members successfully complete assessments and obtain certificatio
can work with Voluntary Partnership members to assist public and private trainin
with the skill standards, thus helping to create a system linking education and t
increased employment opportunities for minorities, women, and other disadvanta

B. National Skill Standards Act Requirements Concerning Civil Rights Law

The Act places great importance on compliance with civil rights law in the evolvi
requiring that all aspects of the system be used consistent with civil rights
fundamental purpose of the system is to increase opportunities for minorities and
to the entry of women into nontraditional employment. Your active participation
mandates. The box below contains an abstract of the Act pertaining to complian
mandate to increase opportunities for minorities and women.

velop assessments, which measure standards. In some circumstances, hire, promote, or train. Thus, it is ired by work in the industry cluster. d the NSSB criteria (see Section IV) lly protected groups, and that the

an especially valuable contribution. aphic groups. For example, if many ry to offer the assessment in other ensure full access to the benefits of for employment opportunities and nership's skill standards system be istributed to all possible audiences.

aluable contribution that groups like s of the skill standards, you can help n, leading to high quality jobs. You g providers in aligning their curricula raining and future skill standards to ged groups.

g national skill standards system by laws. It also makes clear that a women, including removing barriers will help the NSSB in meeting these ce with civil rights laws and the

Federal civil rights law prohibits discrimination based on race, color, national origin, ethnicity, sex, religion, age, and disability. Individuals who fall into any of these groups are considered members of a protected class. An employment practice with an adverse impact is one that disproportionately screens out such members.

BOX 1: ABSTRACT
RELATED TO COMPL

Section 502(3) of the Act
for the development and
assessments and certific
opportunities for minoriti
women into nontraditiona

Section 504(d) and (e) of
criteria that will be used to
and the processes of as
discriminatory and must
addition, the actions of the
laws. Finally, the endorse
cannot be used as legal e
with civil rights laws.

III. COALITION B
PARTNERSHI

This section provides an abstract of the
Voluntary Partnership. Both the summa
be included in each Voluntary Partnersh
and as a member of the leadership gro

BOX 2: ABSTRACT
PERTAINING TO MEN

Section 504(b) of the Ac
balanced participation of

- Representatives o
- Representatives o
- Representatives o
- Representatives o
- Experts in assess

OF THE NATIONAL SKILL STANDARDS ACT
IANCE WITH CIVIL RIGHTS LAW

states that the purpose of the NSSB is to serve as a catalyst
adoption of a voluntary, national system of skill standards,
cation that complies with civil rights laws and will increase
es and women, including removing barriers to the entry of
l employment.

f the Act require that the Board of the NSSB develop a set of
endorse any skill standards system. Both the skill standards
ssessment and certification of those standards cannot be
be consistent with existing federal civil rights laws. In
e NSSB cannot modify any federal or State anti-discrimination
ement or lack of endorsement of skill standards by the NSSB
vidence to establish that any use of skill standards complies

BUILDING AND VOLUNTARY
IP RECOGNITION

e language of the Act and the NSSB criteria governing official recognition of a
ries of the statute and the criteria identify the types of organizations that must
ip. The NSSB criteria identify two levels of participation - as a general member,
up known as the Decision Council.

T OF THE NATIONAL SKILL STANDARDS ACT
MBERSHIP IN THE VOLUNTARY PARTNERSHIPS

ct requires that Voluntary Partnerships include the full and
the following groups:

f business and trade associations
f organized labor and other employees
f educational institutions and public training organizations
f community-based organizations and civil rights groups
ment

A. NSSB Criteria for Recognition as a Voluntar

The statute requires the NSSB to issue criteria to assist with the creation of sk
criteria to ensure quality and fairness in the development and implementation of
listed below are designed to ensure that the statutory provisions above are met.

1. General Membership of the Voluntary Partnership

All interested individuals, organizations, and coalitions are invited by the Conven
Voluntary Partnership. Each member of the Voluntary Partnership has the right t

- **Participate in the selection of representative**
- **Participate in the Decision Council if selecte**
- **Receive communications about the developme system for the cluster.**
- **Comment on the direction taken by the Volun Council.**

The Voluntary Partnerships shall include the adequate representation and full part
the Act.

2. Voluntary Partnership Decision Council

The NSSB prescribes the Voluntary Partnerships and their Decision Councils to (
key stakeholders as full partners. The initial Chair of the Decision Council must b
Decision Council shall, to the extent feasible, be geographically representative
racial, ethnic, and gender diversity of the United States.

Each Voluntary Partnership will make every effort to include equal numbers of
identified below in the Decision Council. The composition of the Decision Coun
below for the three broadly defined groups:

Stakeholder Group	Share of t
Employer Representatives	(such as employers and trade associa
Employee Representatives[3]	
Public Interest Representatives	(such as communit[illegible]-based organizatio civil rights groups)

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y Partnership

ill standards. The NSSB uses these
skill standards systems. The criteria

ng Group to become members of the
o

s to the Decision Council.
d by his or her peers.
ent of a skill standards

tary Partnership's Decision

icipation of the stakeholders listed in

l) be employer led, and (2) involve all
e an employer. The members of the
of the United States and reflect the

the three main stakeholder groups
cil must reflect the ranges identified

he Decision Council

tions)	35-50%
	25-40%
ons and	
	20-40%

ABLE

IV. DEVELOPING S
CERTIFICATION

A. NSSB Criteria For Sk
to Civil Rights, Oppo

Federal civil rights law forbids employers from discriminating on the basis of race, color, national origin, ethnicity, sex, religion, age or disability of an employee or job applicant. These laws bar intentional discrimination. They also bar discrimination that results from an employment decision that is neutral on its face but has an adverse impact on individuals in the groups listed above, unless the standard or assessment is job related for the position... and consistent with business necessity. Even if the standard or assessment is job related and consistent with business necessity, if an adverse impact results the standard or assessment is still illegal if another standard or assessment could be devised that effectively predicts job competence with less of an adverse impact.

The Act also requires the NSSB to "deve
concerning civil rights, opportunity, and a
development of consensus within the Vo

1. General Criteria For Stand

Employers can only use skill standards
consistent with federal civil rights law.
Partnerships only if they meet these crite

- **"Neutral on their**
  rights laws (i.e. r
  everyone regardle
  religion, age or di
- **Manifestly job-rel**
  reflecting only th
  physical skills) ac
  Partnerships will
  adverse impact ex
- **Professionally val**
  minimum, they me
  Procedures issue
  Commission.

2. Due Process in Standards

Due process ensures that any person
interest has a right to participate by: (a)

STANDARDS, ASSESSMENT, AND

ill Standards and Assessments Pertaining rtunity, and Access

lop objective criteria for endorsing skill standards systems," including criteria ccess. The following section presents these criteria and requirements for the luntary Partnership.

ards and Assessments

n hiring or promotion if the standards are non-discriminatory and are used The NSSB will endorse the skill standards developed by the Voluntary ria. Proposed skill standards and assessments must be:

face" with respect to the groups protected by civil efers to a neutral policy or practice that applies to ss of race, color, national origin, ethnicity, sex, sability).

ated and consistent with business necessity, e knowledge and skills (including language and ctually required for competent performance. Voluntary make certain that no effective alternative with less xists.

idated, using state-of-the-art techniques. At a eet the Uniform Guidelines on Employee Selection d by the U.S. Equal Employment Opportunity

Development

organization, company, or government agency) with a direct and material expressing a position and its basis, (b) having that position considered, and

(c) appealing a decision of the Voluntary Partnership if adversely affected. Due pr
The following constitute the minimum acceptable due process requirements for t

Openness - Voluntary Partnerships are open for participation to anyone who i
the standards, regardless of professional association, technical expertise, or
Voluntary Partnerships begin the development or revision of a standard, they mus
parties in a clear and meaningful manner.

Balance - The voluntary, national skill standards development process should h
not be dominated by any single interest category.

Consensus - Consensus requires that all views and objections be considered
the resolution of the latter. Approval in this manner assures future users th
acceptable to the stakeholders.

Written procedures - Written procedures shall govern the methods used
shall be available to any interested person. The written procedures shall also c
process.

Notification of skill standards development - Voluntary Partnersh
being developed or revised in all suitable media targeting each affected party. T
be allowed a period to comment on any proposals or revisions. The commen
However, if the full text of the revision(s) can be published in the public listing (i.
the United States Government Printing Office and accessible via the internet at ht
comment period may be a minimum of 30 days. Voluntary Partnerships may reque
development of the proposal and are required to do so in the event of subsequen

Consideration of views and objections - Voluntary Partnerships mu
and objections from all participants, including those commenting on the public li
Partnership must make an effort to resolve all expressed objections, advising the
reasons for that decision; and the option to appeal. The Voluntary Partnership
after the close of the public listing process as well as when the standards are up

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ıcess allows for equity and fair play.
ıe development of consensus:

s directly and materially affected by
financial situation. Whenever the
t publicize their efforts to interested

ıave a balance of interests and shall

and that an effort be made toward
at each skill standard is generally

for skill standards development and
ntain a mechanism for the appeals

ips will announce any skill standard
he public and interested parties will
t period is a minimum of 60 days.
e. the *Federal Register* published by
tp://www.access.gpo.gov), then the
st a public listing at any stage in the
t changes.

ıst promptly consider written views
sting. Once informed, the Voluntary
objector of: the decision made; the
nay respond to comments received
dated.

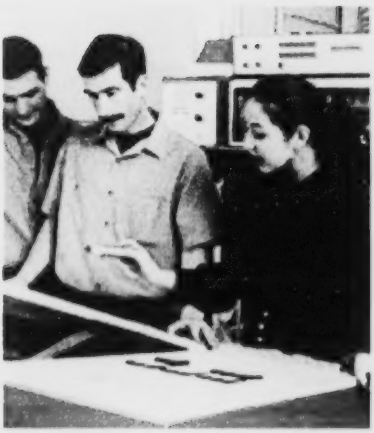
31

VAILABLE

3. NSSB Requirements Go
Development Plan

The NSSB requires each Voluntary Par
the industry cluster. The first step i
analyzing work and developing the skil

- **Specific method**
- **Detailed timelin**
- **Human and tech**
- **Budgets**



The workplan should clearly explain h
standards. The methodology for deter

4. Criteria Specific to Ass

Assessments are to be reliable, fair, a
They should adhere to the following:

- **Assessments ar**
  are necessary, v
  consistency of j

- **Assessments re**
  consistent with

- **When economica**
  assessments for
  are not limited t
  multiple measur

- **Assessments ar**
  protected by civ
  assessment(s) v

verning a Voluntary Partnership's Skill Standards

tnership to develop skill standards based on an analysis of work performed in
this process is to prepare a workplan, outlining the approach to be used in
standards. The workplan includes:

ologies
e
nical resources

ow the planned methodologies are designed to meet the NSSB criteria for
mining concentrations must be identified as well.

essment

d valid, and must accurately evaluate the skills they are designed to measure.

e as objective as possible. When subjective measures
well-accepted techniques are applied to increase the
udgments.

asonably accommodate persons with disabilities,
the Americans with Disabilities Act.

ally feasible, and without impairing their validity,
the core, concentration, or specialty skill standards
o a single assessment tool or method, and include
es of the same skill.

e to be analyzed for their adverse impact on groups
il rights laws. The Voluntary Partnership will select the
vith the least adverse impact.

B. Promotion of Employment Opportunities and

In addition to the Act's requirements pertaining to civil rights law, the statute in address the goals of employment opportunities, worker mobility, and access. statutory provisions and the NSSB's criteria designed to meet them.

BOX 3: ABSTRACT OF THE NATIONAL SKILL PERTAINING TO EMPLOYMENT OPPORTUNIT MOBILITY

Section 502 of the Act states that the purpose of the NSSB is the development and adoption of a voluntary, national sy assessment, and certification that complies with civil rights la workers to advance their careers, help them reenter the opportunities for minorities and women, including removing women into nontraditional employment.

Section 504 of the Act requires that skill standards establishe and facilitate worker mobility within an industry and among in must create a system to share information related to skill parties and the public.

1. NSSB Criteria on Access to the National Skill Stand

a. Information About the Skill Standards System - Information use will be accessible to all stakeholders and individuals. The following types possible:

- **Information about the standards, including t**
- **Information about education and training av standards**
- **Information about the assessments - to incl sites, costs, and certification routes, bu disclosure of the assessments themselv**
- **Other information and programs operated by**
- **Information about employers that use NSSB**

d Worker Mobility

cludes a variety of other provisions that
This section presents both the relevant

L STANDARDS ACT IES AND WORKER

to serve as a catalyst for ystem of skill standards, ws which can be used by workforce, and increase g barriers to the entry of

d by the NSSB be portable ndustries. Also, the NSSB standards with interested

lards System

about skill standards systems and their f information must be as accessible as

he standards themselves ailable to meet the

ude information on delivery t not necessarily including es
the Voluntary Partnerships -endorsed skill standards

b. Information About Relevan
to advise employers that they are lega
they use skill standards in their employ

- **Employers must**
  and assessments
  position that var
  skill standard wi

- **Employers must**
  Americans with
  and certificates.

- **Employers may v**
  to workers to as

- **Employers may n**
  proceeding as ev
  rights laws. Hov
  standards may b

c. Outreach - Communication of
audience, including the groups protecte

d. Using the System - To maxi
use. Thus:

- **Assessments wil**
  individuals with

- **Costs to users o**
  as low as reason

- **The number and**
  skill standards s

- **Individuals who**
  provided specifi
  improvement and

t Civil Rights Law - It is the responsibility of the Voluntary Partnerships
ly responsible for compliance with federal, state, and local civil rights laws if
ment decisions. Some helpful advice includes the following:

ascertain the applicability of NSSB-endorsed standards
s to their workplace. Knowledge and skills for a
y from the knowledge and skills in an NSSB-endorsed
ll need to be independently validated by the employer.

make the reasonable accommodations required by the
Disabilities Act when using NSSB-endorsed standards

vant to offer training and/or experiential opportunities
sist them in attaining skill standards.

ot use the NSSB's endorsement per se in a legal
vidence that an employer's practices conform to civil
wever, the research used by the NSSB to validate the
e used by an employer in a legal proceeding.

the information mentioned above is designed to reach the widest possible
ed by civil rights laws as well as every interested party in this process.

nize its impact and effectiveness, the skill standards system must be easy to

ll be available in locations that do not burden
unnecessary travel time or costs.

f the system, including for assessment, are to be kept
nably possible.

difficulty of forms/paperwork[4] necessary to use the
ystem are kept at the minimum level possible.

do not successfully complete an assessment are
c feedback on the skill areas in which they need
l are afforded an opportunity for reassessment.[5]

2. NSSB Criteria on the Promotion of Employment Opportun

Skill standards systems must promote the portability of credentials and facilit among industry clusters. Skill standards systems will increase employment op women, minorities, the elderly, disabled, and the economically disadvantaged (ir Partnerships must demonstrate how their skill standards system achieves these

- **Skill standards and assessments will be mod to demonstrate proficiency in and receive cr portion of a skill standard. Voluntary Partner the NSSB and other Voluntary Partnerships t**

are portable within and across industry clusters.

- **Voluntary Partnerships will analyze and pres mobility patterns within their industry cluste skill-related impediments to mobility.[7]**

- **Skill standards systems will not erect new b mobility.**

C. Evaluation

Evaluation - and the continuous improvement activities that accompany it - is ess system. This section presents the relevant statutory abstracts and the NSSB opportunity, and access) designed to meet the statute.

BOX 4: ABSTRACT OF THE NATIONAL SKILL PERTAINING TO EVALUATION

Section 504(c) of the Act requires that the NSSB conduct wor to skill standards, including research related to the use of skill s with civil rights laws, and make its findings available to both the and the public. In addition, the skill standards system that is e have systems in place to evaluate, assess, and certify the standards that are consistent with civil rights laws.

Section 504(d) highlights the importance of civil rights laws ar the endorsement of skill standards systems.

ities and Worker Mobility

ate worker mobility both within and
portunities for all workers, including
cluding welfare recipients). Voluntary
goals, including:

ular,[6] allowing individuals
edit for attainment of a
ships will cooperate with
o construct modules that

ent information on existing
rs, as well as on existing

arriers to opportunity or

sential to a world-class skill standards
3 criteria (in the area of civil rights,

STANDARDS ACT

kforce research relating
standards in compliance
e Voluntary Partnerships
ventually endorsed shall
implementation of skill

nd non-discrimination in

1. NSSB Criteria Pertaining

Voluntary Partnerships will provide annu
systems in meeting the goals of the Na
access, these reports must cover the fo

- **Problems and imp**
  that can be used
  law.

- **Accomplishments**
  opportunities for
  the workforce, in
  nontraditional em

- **Accomplishments**
  mobility, includin

- **Accomplishments**
  credentials that

- **Effectiveness of**
  requirements of

- **Cooperation betw**
  collection of info
  procedures, and

V. CONCLUDING R

The NSSB was created in 1994 by an A
standards are necessary to provide Ame
increasingly information-based economy
world, thereby providing greater job o
everyone.

to Evaluation

ial reports to the NSSB that analyze the effectiveness of their skill standards
tional Skill Standards Act. Regarding the goals of civil rights, opportunity, and
llowing:

pediments in implementing a skill standards system consistent with federal, state, and local civil rights

s and impediments of the system in increasing minorities, women, and individuals seeking to reenter ncluding removal of barriers to the entry of women into nployment.

s and impediments of the system in facilitating worker g upward and lateral mobility.

s and impediments of the system in achieving are portable both within and among industry clusters.

information dissemination for informing users of the relevant civil rights law.

veen Voluntary Partnerships and the NSSB in the rmation and data using uniform definitions, computer formats designated by the NSSB.

REMARKS

ct of Congress to develop a voluntary, national system of skill standards. Skill
erica's workforce with specialized skills to meet the needs of employers in this
y. This system will help our workers remain competitive with the rest of the
pportunities and raising the standards of living and economic security for

The development of a skill standards system requires the participation of a broad r
provide valuable input and create a system that is practical and effective. Most o
to ensure equal access, fairness, and participation by each and every person who
To make that happen, the NSSB needs organizations such as yours to join us in
of skill standards, assessment, and certification a reality.

Your organization will help ensure that standards are created that are fair and do no
in this country. Your critical input will help ascertain that trends and needs affectin
into consideration during the development of skill standards. The NSSB wants to
national skill standards system that will be a model for the rest of the world. We
happen. Join us in our effort. GET INVOLVED!

---

[1] U.S. Bureau of the Census, Current Population Reports, Series P23- 19

[2] For more information on this benchmarking study, see Tab 6 of the
Voluntary Skill Standards System

[3] At least 5% of the Decision Council must represent non-managerial en
Labor Standards Act) that, in the opinion of the NSSB (with the assista
represents the needs and issues of national skill standards and assessmen

[4] Forms/paperwork do not include the assessments themselves.

[5] This criterion does not require Voluntary Partnerships to divulge inform
through feedback or re-assessment) that is so specific as to endanger the

[6] This criterion will need subsequent development to ensure that the mo
The criterion does not require certification of the modules, which might u
certification.

[7] NSSB will fund research using national data sources to supplemen
Partnerships, and to assist them to meet this criterion.

ange of civic and interest groups to
all, the standards must be created
wishes to benefit from this system.
naking a voluntary, national system

t discriminate against any individual
g underserved populations are taken
create the best possible voluntary,
need your participation to make this

(U.S. GPO 1998).

NSSB Reference Manual for a

ployees (as defined by the Fair
nce of staff), reflects and fairly
ts.

nation about assessments (either
security of the assessment.

dules possess sufficient breadth.
ndermine the value of the overall

the analysis of the Voluntary

SEC. 501. SHORT TITLE.

This title may be cited as the "National Skill

SEC. 502. PURPOSE.

It is the purpose of this title to establish a Nat
adoption of a voluntary national system of

(1) that will serve as a cornersto

(2) that will result in ***increased p***

(3) that can be used, ***consistent***

(A) ***by the Nati***
including the m

(B) ***by industri***
necessary for e

(C) ***by employe***
training of curre

(D) ***by labor o***
credentials and

(E) ***by workers***

(F) ***by students***
be obtained in o

(G) ***by training***

(H) ***by governm***
standards where

(I) to ***facilitate***

(J) to ***increase***
women into non

(K) to ***facilitat***
workforce skil
technical educat

SEC. 503. ESTABLISHMENT OF NATIONAL

(a) IN GENERAL.— There is established a Na

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Standards Act of 1994."

ional Skill Standards Board to serve as a catalyst in ***stimulating the development and*** ***skill standards*** and of assessment and certification of attainment of skill standards—

e of the national strategy to ***enhance workforce skills;***

roductivity, economic growth, and American economic competitiveness; and

with civil rights laws—

on, to ensure the development of a high skills, high quality, high performance workforce, ost skilled frontline workforce in the world;

es, as a vehicle for informing training providers and prospective employees of skills mployment;

rs, to assist in evaluating the skill levels of prospective employees and to assist in the nt employees;

rganizations, to enhance the employment security of workers by providing portable skills;

, to—

(i) obtain certifications of their skills to protect against dislocation;

(ii) pursue career advancement; and

(iii) enhance their ability to reenter the workforce;

and entry-level workers, to determine the skill levels and competencies needed to rder to compete effectively for high wage jobs;

providers and educators, to determine appropriate training services to offer;

ment, to evaluate whether publicly funded training assists participants to meet skill such standards exist and thereby protect the integrity of public expenditures;

the transition to high performance work organizations;

opportunities for minorities and women, including removing barriers to the entry of traditional employment; and

e linkages between other components of the national strategy to enhance ***s,*** including school-to-work transition, secondary and postsecondary vocational- ion, and job training programs.

BOARD.

tional Skill Standards Board (hereafter in this title referred to as the "National Board")

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(b) COMPOSITION.—

(1) IN GENERAL.— The National Board **shall** be composed of 28 member
(3)), of whom —

(A) one member **shall** be the Secretary of Labor;

(B) one member **shall** be the Secretary of Education;

(C) one member **shall** be the Secretary of Commerce;

(D) one member **shall** be the Chairperson of the Nation
Council established pursuant to section 212(a);

(E) eight members **shall** be representatives of business (in
and representatives of large employers) selected from amo
national business organizations or trade associations;

(F) eight members **shall** be representatives of organize
recommended by recognized national labor federations; an

(G) **(i)** 2 members **shall** be neutral, qualified human reso

(ii) 6 members **shall** be representatives from the follo
member from each group:

(I) Educational institutions (including voc

(II) Community-based organizations.

(III) State and local governments.

(IV) Nongovernmental organizations with
successfully protecting the rights of racia
women, individuals with disabilities, or ol

(2) DIVERSITY REQUIREMENTS.— The members described in subparagrap
in the area of education and training. The members described in subparagraph

(A) in the aggregate, represent a broad cross-section of oc

(B) to the extent feasible, be geographically representative
ethnic, and gender diversity of the United States.

(3) APPOINTMENT.— The membership of the National Board **shall** be appo

(A) Twelve members (four from each class of members des
paragraph (1)) **shall** be appointed by the President.

(B) Six members (two from each class of members descr
paragraph (1)) **shall** be appointed by the Speaker of the
members (one from each class of members described in su
(1)) **shall** be selected from recommendations made by
Representatives and three members (one from each class o
(F), and (G) of paragraph (1)) **shall** be selected from recomm
the House of Representatives.

(C) Six members (two from each class of members descr
paragraph (1)) **shall** be appointed by the President pro tempo
(one from each class of members described in subparagrap
be selected from recommendations made by the Majority Le

(appointed in accordance with paragraph

al Education Standards and Improvement

cluding representatives of small employers
ng individuals recommended by recognized

d labor selected from among individuals

rce professionals; and

wing groups, with at least 1

tional-technical institutions).

a demonstrated history of
, ethnic, or religious minorities,
der persons.

h (G) of paragraph (1) **shall** have expertise
s (E), (F), and (G) of paragraph (1) **shall**—

cupations and industries; and

of the United States and reflect the racial,

nted as follows:

cribed in subparagraphs (E), (F), and (G) of

ibed in subparagraphs (E), (F), and (G) of
House of Representatives, of whom three
bparagraphs (E), (F), and (G) of paragraph
the Majority Leader of the House of
members described in subparagraphs (E),
nendations made by the Minority Leader of

ibed in subparagraphs (E), (F), and (G) of
re of the Senate, of whom three members
hs (E), (F), and (G) of paragraph (1)) **shall**
der of the Senate and three members (one

from each cl
selected fro

(4) EX OFFICIO NON-VOTING
and (D) of paragraph (1) **shall**

(5) TERM.— Each member of
be appointed for a term of 4 ye

(A) twelve
described in

(i) two

(ii) one
and

(iii) on
and

(B) twelve
described in

(i) two

(ii) one

(iii) on

(6) VACANCIES.— ***Any vaca***
manner as the original appo

(c) CHAIRPERSON AND VICE CHAIRPER

(1) CHAIRPERSON.—

(A) IN GENE
shall elect a

(B) INITIAL
majority vote
described in

(2) VICE CHAIRPERSONS.— T
representing a different class o
and each of whom **shall** serve

(d) COMPENSATION AND EXPENSES.—

(1) COMPENSATION.— All M
Government **shall** serve witho
United States **shall** serve with
of the United States.
(2) EXPENSES.— The memb
subsistence, at rates authorize
while away from their homes

(e) EXECUTIVE DIRECTOR AND STAFF.—

(1) EXECUTIVE DIRECTOR.—
be compensated at a rate dete
Schedule under section 5316 o

ass of members described in subparagraphs (E), (F), and (G) of paragraph (1)) **shall** be
recommendations made by the Minority Leader of the Senate.

MEMBERS.—The members of the National Board specified in subparagraphs (A), (B), (C),
be ex officio, non-voting members of the National Board.

the National Board appointed under subparagraph (E), (F), or (G) of paragraph (1) **shall**
rs, except that of the initial members of the Board appointed under such subparagraphs—

nembers **shall** be appointed for a term of 3 years (four from each class of members
subparagraphs (E), (F), and (G) of paragraph (1)), of whom-

from each such class **shall** be appointed in accordance with paragraph (3)(A);

from each such class **shall** be appointed in accordance with paragraph (3)(B);

e from each such class **shall** be appointed in accordance with paragraph (3)(C);

nembers **shall** be appointed for a term of 4 years (four from each class of members
subparagraphs (E), (F), and (G) of paragraph (1)), of whom—

from each such class **shall** be appointed in accordance with paragraph (3)(A);

from each such class **shall** be appointed in accordance with paragraph (3)(B);

e from each such class **shall** be appointed in accordance with paragraph (3)(C).

***ncy in the National Board shall not affect its powers, but shall be filled in the same
intment.***

SONS.—

RAL.— Except as provided in subparagraph (B), ***the National Board, by majority vote,
Chairperson once every two years from among the members of the National Board.***

CHAIRPERSON.— The first Chairperson of the National Board **shall** be elected, by a
of the National Board, from among the members who are representatives of business (as
subparagraph (E) of subsection (b)(1)) and **shall** serve for a term of 2 years.

he National Board, by majority vote, **shall *annually elect three Vice Chairpersons*** (each
f the classes of members described in subparagraphs (E), (F), and (G) of subsection (b)(1)
for a term of 1 year) from among its members appointed under subsection (b)(3).

lembers of the National Board who are not full-time employees or officers of the Federal
t compensation. All members of the National Board who are officers or employees of the
out compensation in addition to that received for their services as officers or employees

ers of the National Board **shall** be allowed travel expenses, including per diem in lieu of
d for employees of agencies under subchapter I of chapter 57, title 5, United States Code,
r regular places of business in the performance of services for the National Board.

The ***Chairperson of the National Board shall appoint an Executive Director*** who **shall**
rmined by the National Board, not to exceed the rate payable for level V of the Executive
f title 5, United States Code.

(2) STAFF.—

(A) IN GENERAL.— The Executive Director may appoint an
be necessary to enable the Board to perform its duties.
individual with expertise in measurement and assessm

(B) COMPENSATION.— The Executive Director may fix th
to the provisions of chapter 51 and subchapter III of chapte
to classification of positions and General Schedule pay rat
may not exceed the rate payable for level V of the Executive

(f) VOLUNTARY AND UNCOMPENSATED SERVICES.— Notwithstanding section 1342 o
Board is authorized, in carrying out this title, to accept voluntary and uncompensat

(g) AGENCY SUPPORT.—

(1) USE OF FACILITIES.—The National Board may use the research, equipm
or instrumentality of the United States with the consent of such agency or in

(2) STAFF OF FEDERAL AGENCIES.—Upon the request of the National Boa
United States may detail to the National Board, on a reimbursable basis, any
assist the National Board in carrying out this title. Such detail **shall** be witho
or privilege.

(h) CONFLICT OF INTEREST.— ***An individual who has served as a member of the Na***
interest in an assessment and certification system developed or endorsed under t
the termination of service of such individual from the National Board.

(i) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.— The Chairp
temporary and intermittent services of experts and consultants under section 3109(b) of

(j) TERMINATION.— ***The National Board shall terminate on September 30, 1999.***

SEC. 504. FUNCTIONS OF THE NATIONAL BOARD.

(a) IDENTIFICATION OF OCCUPATIONAL CLUSTERS.—

(1) IN GENERAL.— Subject to paragraph (2), the National Board ***shall iden***
that involve one or more than one industry in the United States and that sh
the development of common skill standards.

(2) PROCEDURES FOR IDENTIFICATION.— Prior to identifying board clusters
the National Board **shall** engage in extensive public consultation, including ***sol***
clusters through publication in the Federal Register.

(b) ESTABLISHMENT OF VOLUNTARY PARTNERSHIPS TO DEVELOP STANDARDS.—

(1) IN GENERAL.— ***For each of the occupational clusters identified pu***
Board shall encourage and facilitate the establishment of voluntary p
system in accordance with subsection (d).

(2) REPRESENTATIVES.— Such voluntary partnerships **shall** include the full

(A) (i) ***representatives of business*** (including representa
employers and representatives of small employers) w
workforce skill requirements, and who are recommen
or trade associations representing employers in the o
standard is being developed; and

(ii) ***representatives of trade associations*** that have
of Labor or the Department of Education to establish
enactment of this title;

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d compensate such additional staff as may
Such staff ***shall include at least one***
ent.

e compensation of the staff without regard
r 53 of title 5, United States Code, relating
s, except that the rate of pay for the staff
Schedule under section 5316 of such title.

f title 31, United States Code, ***the National***
ed services.

nent, services, and facilities of any agency
strumentality.

rd, the head of any Federal agency of the
of the personnel of such Federal agency to
t interruption or loss of civil service status

tional Board may not have any financial
his title for a period of three years after

erson of the National Board may procure
itle 5, United States Code.

ify broad clusters of major occupations
are characteristics that are appropriate for

s of major occupations under paragraph (1),
icitation of public comment on proposed

rsuant to subsection (a), the National
artnerships to develop a skill standards

and balanced participation of—

tives of large
ho have expertise in the area of
ded by national business organizations
ccupation or industry for which a

received grants from the Department
skill standards prior to the date of

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(B) ***employee***
and who **shal**

(i) ***indiv***
employe

(ii) such
experie
nature a

(C) representa

(i) ***educ***

(ii) ***com***

(iii) ***Sta***
vocation

(iv) ***oth***
skill req

(v) ***non-***
protecti
disabiliti

(D) ***individua***
in designing u

(3) EXPERTS.— The partners
independent, qualified experts i

(c) RESEARCH, DISSEMINATION, AND C
the National Board **shall—**

(1) ***conduct workforce resear***
compliance with civil rights law
described in subsection (b);

(2) ***identify and maintain a ca***
industries in the United States;

(3) ***serve as a clearinghouse***
relevant information among rep
voluntary partnerships describ
mechanisms as the Capacity Bu
the Job Training Partnership Act

(4) ***develop a common nomen***

(5) ***encourage the developme***
developed pursuant to subsectio
to progressive levels of professi

(6) ***provide appropriate techni***
systems described in subsection

(7) ***facilitate coordination amo***
development of a coherent natio

representatives who have expertise in the area of workforce skill requirements
l be—

iduals recommended by recognized national labor organizations representing
ees in the occupation or industry for which a standard is being developed; and

other individuals who are ***nonmanagerial employees with significant nce and tenure in such occupation*** or industry as are appropriate given the nd structure of employment in the occupation or industry;

tives of—

ational institutions;

munity-based organizations;

te and local agencies with administrative control or direction over education, al-technical education, or employment and training;

er policy development organizations with expertise in the area of workforce uirements; and

governmental organizations with a demonstrated history of successfully ng the rights of racial, ethnic, or religious minorities, women, individuals with es, or older persons; and

ls with expertise in measurement and assessment, including relevant experience nbiased assessments and performance-based assessments.

hips described in paragraph (1) may also include such other individuals who are their fields.

ORDINATION.— In order to support the activities described in subsections (b) and (d),

ch relating to skill standards (including research relating to use of skill standards in s) and make such research available to the public, including the voluntary partnerships

talog of skill standards used by other countries and by States and leading firms and

to facilitate the sharing of information on the development of skill standards and other resentatives of occupations and industries identified pursuant to subsection (a), the ed in subsection (b), and among education and training providers through such ilding and Information and Dissemination Network established under section 453(b) of (29 U.S.C. 1733(b)) and the Educational Resources Information Center Clearinghouses;

clature relating to skill standards;

nt and adoption of curricula and training materials, for attaining the skill standards n (d), that provide for structured work experiences and related study programs leading nal and technical certification and postsecondary education;

cal assistance to voluntary partnerships involved in the development of standards and (b), and

ng voluntary partnerships that meet the requirements of subsection (b) to promote the nal system of voluntary skill standards.

(d) ENDORSEMENT OF SKILL STANDARDS SYSTEMS.—

(1) DEVELOPMENT OF ENDORSEMENT CRITERIA.—

(A) The National Board, after extensive public consultation *endorsing skill standards systems relating to the occup* subsection (a). Such criteria **shall**, at a minimum, include the described in subparagraph (B). ***The endorsement criteri*** ***Register,*** and updated as appropriate.

(B) The skill standards systems endorsed pursuant to parag following components:

(i) Voluntary skill standards, which at a minimum—

(I) take into account relevant ***standards u*** relevant international standards;

(II) meet or exceed *the highest applicabl* ***States, including apprenticeship*** standard August 16, 1937 (commonly known as the ' 50 Stat. 664, chapter 663, 29 U.S.C. 50 et s

(III) take into account content and perform pursuant to title II ***[academic standards];***

(IV) take into account *the requirements o* ***organizations;***

(V) are in a form that ***allows for regular up*** advances in technology or other developme cluster;

(VI) are formulated in such a manner that ***p*** ***credentials and facilitates worker mobili*** industry and among industries; and

(VII) are not discriminatory with respect to religion, ethnicity, disability, or national orig ***rights laws.***

(ii) A voluntary system of assessment and certificati standards developed pursuant to subparagraph (A),

(I) has been developed after ***taking into ac*** ***assessment and certification used in oth***

(II) ***utilizes a variety of evaluation techni*** oral and written evaluations, portfolio asses

(III) includes methods for establishing that system is ***not discriminatory*** with respect ethnicity, disability, or national origin, consi

(iii) ***A system to promote the use of and to dissemin*** ***standards,*** and assessment and certification systems, (including dissemination of information relating to civil such standards and systems) to entities such as institu professional and technical education, labor organization providing formalized training, and other organizations li and systems.

, **shall develop *objective criteria for***
ational clusters identified pursuant to
components of a skill standards system
a shall be published in the Federal

raph (1) **shall** have one or more of the

sed in other countries and

e standards used in the United
s registered under the Act of
"National Apprenticeship Act,"
eq.);

ance standards certified

f high performance work

odating to take into account
nts within the occupational

romotes the portability of
y within an occupational cluster or

race, color, gender, age,
n, ***consistent with Federal civil***

on of the attainment of skill
which at a minimum-

count relevant methods of such
ner countries;

ques, including, where appropriate,
sments, and performance tests; and

the assessment and certification
to race, color, gender, age, religio,
stent with Federal civil rights laws.

ate information relating to skill
developed pursuant to this paragraph
ights laws relevant to the use of
tions of higher education offering
s, trade associations, employers
ely to benefit from such standards

(iv) ***A sys***
certificati
informatio
standards

(v) ***A sys***
certificati
changes i

(2) ENDORSEMENT.— The Nati
systems relating to the occupatio

(A) ***meet the o***

(B) are submitte

(e) RELATIONSHIP WITH CIVIL RIGHTS LA

(1) IN GENERAL.— ***Nothing in t***
discrimination on the basis of r

(2) EVIDENCE.— The endorsem
assessment and certification syst
that the use of a skill standard or a
of civil rights laws.

(f) COORDINATION.— The National Board s
Improvement Council to promote the coordina
voluntary national content standards and volu

(g) FINANCIAL ASSISTANCE.—

(1) IN GENERAL.— From funds a

(A) ***the Nation***
purposes of this

(B) ***the Secret***
partnerships f
subsection (d).

(2) GRANTS TO VOLUNTARY PA

(A) ELIGIBILIT
subsection (b)
partnership desi
manner, and acc

(B) REVIEW A
submitted purs
pursuant to sub
accompanied b
application by

(C) CRITERIA F
criteria to be u

(3) LIMITATION ON USE OF FUN

(A) IN GENERA
section 507(a) f

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tem to evaluate the implementation of the skill standards, and assessment and
on systems developed pursuant to this paragraph, and the effectiveness of the
n disseminated pursuant to subparagraph (C) for informing the users of such
and systems of the requirements of relevant civil rights laws.

tem to periodically revise and update the skill standards, and assessment and
on systems developed pursuant to this paragraph, which will take into account
n standards in other countries.

onal Board, after public review and comment, ***shall endorse those skill standards*** nal clusters identified pursuant to subsection (a) **that—**

bjective endorsement criteria that are developed pursuant to paragraph (1); and

d by voluntary partnerships that meet the requirements of subsection (b).

WS.—

his title shall be construed to modify or affect any Federal or State law prohibiting ace, color, gender, age, religion, ethnicity, disability, or national origin.

ent or absence of an endorsement by the National Board of a skill standard, or em, under subsection (d) ***shall not be used in any action or proceeding*** to establish ssessment and certification system conforms or does not conform to the requirements

shall establish cooperative arrangements with the National Education Standards and tion of the development of skill standards under this section with the development of ntary national student performance standards in accordance with section 213.

ppropriated pursuant to section 507—

l Board may enter into contracts and cooperative agreements to carry out the title; and

ry of Labor may, in accordance with paragraph (2), award grants to voluntary or the development of skill standards systems meeting the requirements of

RTNERSHIPS.—

F AND APPLICATION.— Voluntary partnerships that meet the requirements of **shall** be eligible to apply for a grant under this subsection. Each such voluntary ring a grant **shall** submit an application to the National Board at such time, in such ompanied by such information as the National Board may reasonably require.

ND RECOMMENDATION.— ***The National Board shall review each application uant to subparagraph (A) in accordance with the objective criteria published paragraph (C) and shall forward each such application to the Secretary of Labor y a nonbinding recommendation for the approval or disapproval of each such the Secretary.***

OR REVIEW.— ***Prior to each fiscal year, the National Board shall publish objective sed by the Board in reviewing applications*** under subparagraph (B).

IDS.—

L.— Not more than 20 percent of the funds appropriated pursuant to the authority of or each fiscal year **shall** be used by the National Board for the costs of administration.

Y AVAILABLE

(B) COSTS OF ADMINISTRATION DEFINED.— For purpo
administration" means costs relating to staff, supplies, equ
costs of conducting meetings and conferences, and other re

SEC. 505. DEADLINES.

Not later than December 31, 1995, the National Board shall, at a minimum—

(1) ***identify occupational clusters*** pursuant to section 504(a) representing a

(2) ***promote the development of an initial set of skill standards*** in accorda

SECTION 506. REPORTS.

The National Board shall prepare and submit to the President and the Congress in each of th
on the activities conducted under this title. Such report **shall** include information on the
adopted by employers, training providers, and other entities, and on the effectiveness
purposes described in section 502.

SECTION 507. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title $15,000,
may be necessary for each of fiscal years 1995 through 1999.

(b) AVAILABILITY.—Amounts appropriated pursuant to subsection (a) **shall** remain avail

SEC. 508. DEFINITIONS.

For purposes of this title, the following definitions apply:

(1) COMMUNITY-BASED ORGANIZATIONS. — The term "community-based
term in section 4(5) of the Job Training Partnership Act (29 U.S.C. 1503(5)). [
"community-based organizations" means private non-profit organizations wh
significant segments of communities and which provide job training services (
Centers, the National Urban League, SER-Jobs for Progress, United Way of A
Rican Forum, National Council of La Raza, 70,001, Jobs for Youth, organiz
neighborhood groups and organizations, community action agencies, commu
rehabilitation organizations, rehabilitation facilities (as defined in section 7(
U.S.C.A. ß 706(10)]), agencies serving youth, agencies serving the ho
homemakers, union-related organizations, and employer-related nonprofit orga
reservation Indians (including the National Urban Indian Council), as well a
groups.]

(2) EDUCATIONAL INSTITUTION.— The term "educational institution" mea
an institution of higher education.

(3) INSTITUTION OF HIGHER EDUCATION.— The term "institution of highe
education (as such term is defined in section 481 of the Higher Education Act
to meet the eligibility and certification requirements under section 498 of suc

(4) SKILL STANDARD.— The term ***"skill standard" means a standard tha
competence required to successfully perform work-related functions wi***

SEC. 509. SUNSET PROVISION

(a) REPEAL.— This title is repealed on September 30, 1999.

(b) REVIEW OF REPEAL.— It is the sense of the Congress that the appropriate comm
accomplishments of the National Board prior to the date of repeal described in subsect
appropriate to extend the authorities provided under this title for a period beyond such da

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ses of this paragraph, the term "costs of
ipment, space, and travel and per diem,
lated costs.

substantial portion of the workforce; and

nce with section 504(d) for such clusters.

e fiscal years 1994 through 1999, a report
extent to which skill standards have been
of such standards in accomplishing the

000 for fiscal year 1994 and such sums as

ble until expended.

organizations" has the meaning given the
The JTPA definition is as follows: The term
ich are representative of communities or
for example, Opportunities Industrialization
America, Mainstream, the National Puerto
ations operating career intern programs,
nity development corporations, vocational
10) of the rehabilitation act of 1973 [29
andicapped, agencies serving displaced
anizations), and organizations serving non-
s tribal governments and Native Alaskan

ns a high school, a vocational school, and

education" means an institution of higher
of 1965 (20 U.S.C. 1088)] which continues
Act.

***t specifies the level of knowledge and
hin an occupational cluster.***

ittees of the Congress should review the
on (a) in order to determine whether it is
te.

VAILABLE

FULL TEXT OF THE NSSB

The National Skill Standards Act requires th
criteria concerning civil rights, opportunity a

- **are not discriminatory, a**
- **promote portable creden**
- **facilitate worker mobilit**
- **disseminate information**
- **increase opportunities fo**
- **evaluate the system's ef**
  civil rights law and open

The Board's endorsement of a skill standard
both quality and fairness. The Board's criter
rights, opportunity and access provisions in
Partnerships in developing skill standards sy

To achieve the twin goals of quality and fair
described below. The criteria are what the N
addition, the NSSB itself will take steps to h

The criteria group the National Skill Standar

I. Consistency with federal civil rights law
II. Promotion of employment opportunities a
III. Access to the skill standards system
IV. Evaluation of the system's effectiveness

I. Consistency with Federal Civil Rights

A. General Criteria for Standards and As

Skill standards systems can be used by em
to race, color, gender, age, religion, ethnicit
for which they are developed, the skill stan

- **Neutral on their face wi**
- **Manifestly job-related a**
  (including language and
  Partnerships will further
- **Professionally validated,**
  Guidelines on Employee

[1]Federal civil rights law forbids employers from discri
job applicant. These laws bar intentional discriminatio
adverse impact on individuals in the groups listed abo
Even when the standard or assessment is job-related a
another standard or assessment could be devised that e

CRITERIA FOR CIVIL RIGHTS, OPPORTUNITY, AND ACCESS

e Board to "develop objective criteria for endorsing skill standards systems," including
nd access. Statutory criteria include requirements that skill standards systems:

nd can be used consistent with federal civil rights laws;
tials;
;
concerning the system;
r minorities and women; and
fectiveness, including its effectiveness in creating a system that complies with
s opportunities for women and minorities.

s system is its seal of approval, informing all stakeholders that the system represents
a will help the Voluntary Partnerships meet these goals as well as the specific civil
the National Skill Standards Act. The criteria are also designed to assist the Voluntary
stems that can be used consistent with federal civil rights law.

ness, the Board will use both criteria and specific activities by the NSSB itself,
NSSB expects the Voluntary Partnerships to meet to receive NSSB endorsement. In
elp the Voluntary Partnerships meet the goals of civil rights, opportunity, and access.

ds Actis requirements listed above into four categories:

nd worker mobility

with regard to civil rights, opportunity and access

.aw

sessments

ployers consistent with federal civil rights law[1] and are nondiscriminatory with respect
y, disability, or national origin. For the critical work functions of jobs within the clusters
dards and assessments are:

th respect to the groups protected by civil rights law.
nd consistent with business necessity, reflecting only the knowledge and skills
physical skills) actually required for competent performance. Voluntary
ascertain that no effective alternative with less adverse impact exists.
using state-of-the-art techniques. At a minimum, they meet the Uniform
Selection Procedures found in 29 Code of Federal Regulations 1607.

minating on the basis of race, color, national origin, ethnicity, sex, religion, age or disability of an employee or
n. They also bar discrimination that results from an employment decision that is neutral on its face but has an
e, unless the standard or assessment is job related for the position and consistent with business necessity.
d consistent with business necessity, if an adverse impact results the standard or assessment is still illegal if
ffectively predicts job competence with less of an adverse impact.

B. Criteria specific to assessment

1. Criteria Related to Methodology

a) Assessments are reliable, fair, and valid, accurately measuring the skills they not discriminatory with respect to race, color, gender, age, religion, ethnicity, consistent with federal civil rights laws. To achieve these goals of reliability, assessments are developed in a manner consistent with relevant professional government guidelines. Professional standards include the APA/AERA/NCME Psychological Tests and the Society for Industrial and Organizational Psycholo and Use of Employee Selection Procedures. Government guidelines are found Regulations 1607, Uniform Guidelines on Employee Selection Procedures.

b) Assessments are as objective as possible. When subjective measures are ne applied to increase the consistency of judgments.

c) The assessments are practical in terms of the time, expense, and resource re development (that is, creation and validation of the assessments) and deliver and maintenance/updating of the assessments).

2. Criteria Related to the Use of Assessments

a) Assessments are analyzed for their adverse impact on the groups protected Partnership selects the assessment(s) with the least adverse impact. Assess with disabilities, consistent with the Americans with Disabilities Act.

II. Promotion of Employment Opportunities and Worker Mobility

Skill standards systems will promote the portability of credentials and facilitate worker clusters. Skill standards systems will increase employment opportunities for all workers handicapped, and the economically disadvantaged (including welfare recipients). Volunt skill standards system achieves these goals, including through the following means:

- **Skill standards and assessments are modular,[2] allowing individua receive credit for attainment of a portion of a skill standard. Volu NSSB and other Voluntary Partnerships to construct modules tha clusters. (See Section III for additional criteria.)**
- **Voluntary Partnerships analyze and present information on existi clusters, as well as present information on existing skill-related**
- **Skill standards systems do not erect new barriers to opportunity**

---

[2]This criterion will need subsequent development to ensure that the modules possess sufficient breadth. The which might undermine the value of the overall certification.

[3]NSSB will fund research using national data sources to supplement the analysis of the Voluntary Partnersh

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are designed to measure, and are
disability, or national origin,
validity, and fairness, the
and technical standards and
Standards for Educational and
gyis Principles for the Validation
in 29 Code of Federal

cessary, well-accepted techniques are

equirements involved in both their
y (that is, ongoing administration, scoring,

by civil rights, and the Voluntary
sments reasonably accommodate persons

nobility both within and among industry
, including women, minorities, the elderly,
ary Partnerships will demonstrate how their

is to demonstrate proficiency in and
ntary Partnerships will cooperate with the
t are portable within and across industry

ng mobility patterns within their industry
mpediments to mobility.
or mobility.[3]

criterion does not require certification of the modules,

s, and to assist them to meet this criterion.

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III. Access to the Skill Standards Syste

Information about and use of skill standar

A. Information about the National Skill

The following types of information are ma

- Information about the stand
- Information about educatio
- Information about the asse
- Other information and prog
- Available information abou

B. Information about Relevant Civil Rig

Voluntary Partnerships will advise employ
responsible for compliance with federal,

- **Employers are respon**
  to their workplace. K
  in an NSSB-endorsed
- **Employers must make**
  using NSSB-endorsed
- **Employers may want**
  skill standards, which
  protected groups liste
- **Employers may not us**
  practices conform to

C. Outreach

Outreach of the information in criteria 1 a
protected by civil rights law as well as e
based organizations, government offices
welfare recipients), and individuals not c

[1]Information about the assessments does not include

[2]The NSSB Reference Manual will contain the relevan
NSSB advice to employers, the Voluntary Partnership

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ɔm

ds systems are maximally accessible to all stakeholders and individuals.

Standards System

ximally accessible:
lards, including the standards themselves
and training available to meet the standards
ssments[4]
ams operated by the Voluntary Partnerships
employers that use NSSB-endorsed skill standards.

hts Law

ers that, if they use skill standards to make employment decisions, employers are legally state and local civil rights law.[5] The advice includes the following:

sible for ascertaining the applicability of NSSB-endorsed standards and assessments
owledge and skills required for specific jobs that vary from the knowledge and skills
skill standard will need to be independently validated by the employer for that job.
the reasonable accommodations required by the Americans with Disabilities Act in
skill standards and certificates.
o offer training and/or experiential opportunities to workers to assist them to attain
may limit the adverse impact of standards and assessments upon the legally
d in Criterion I.
e NSSB's endorsement per se in a legal proceeding as evidence that an employer's
civil rights law. However, the research used to validate the standards can be used.

nd 2 above is designed to reach the widest possible audience, including the groups
mployers of all sizes, employer associations, unions, educational institutions, community-
including the public employment service, the economically disadvantaged (including
urrently employed.

disclosure of the assessments themselves.
legal advice necessary for the Voluntary Partnerships to meet this criterion. If the Voluntary Partnerships convey this
will have met this criterion.

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D. Using the System

Opportunities to use the skill standards system are maximally accessible, including the fo

- **To the extent economically feasible, assessments are available in l travel time or costs for individuals.**
- **The number and difficulty of forms/paperwork[6] necessary to use th minimum level possible.**
- **Individuals who do not successfully complete an assessment are p areas in which they need improvement.[7] Such individuals are also a again.**

IV. Evaluation of the System's Effectiveness

Each Voluntary Partnership will provide annual reports to the NSSB that analyze the effec meeting the goals of the National Skill Standards Act. Regarding the goals of civil rights, cover the following issues:

1. Problems and impediments in implementing a skill standards system that can be used civil rights law.
2. Accomplishments and impediments of the system in increasing opportunities for mino reenter the workforce, including removal of barriers to the entry of women into nontra
3. Accomplishments and impediments of the system in facilitating worker mobility, inclu
4. Accomplishments and impediments of the system in achieving credentials that are po clusters.
5. Effectiveness of information dissemination for informing users of the requirements of
6. Voluntary Partnerships cooperate with the NSSB in the collection of information and d and computer formats designated by the NSSB.

---

[6] "Forms/paperwork" do not include the assessments themselves.

[7] This criterion does not require Voluntary Partnerships to divulge information about assessments, either through feedba the security of the assessment.

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llowing:
ocations which do not necessitate undue

he skill standards system are kept at the

rovided specific feedback on the skill
fforded some opportunity to be assessed

tiveness of their skill standards system in
opportunity and access, these reports

consistent with federal, state and local

rities, women and individuals seeking to
ditional employment.
ding upward and lateral mobility.
rtable both within and among industry

elevant civil rights law.
ata using uniform definitions, procedures

ck or re-assessment that is so specific as to endanger

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